UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,429	04/16/2004	Gregory Niles	18602-08907 (P3334)	9991

61520   7590   10/02/2007
APPLE/FENWICK
SILICON VALLEY CENTER
801 CALIFORNIA STREET
MOUNTAIN VIEW, CA 94041

EXAMINER
ABDUL-ALI, OMAR R

ART UNIT	PAPER NUMBER
2178	

MAIL DATE	DELIVERY MODE
10/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 July 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-127* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-127* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *7/17/2007* is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
   Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application

6) ☐ Other: _____.

DETAILED ACTION

The following action is in response to the response filed July 17, 2007. Amended

Claims 1-127 are pending and have been considered below.

1. Examiner's Note: The amendments to the specification have overcome the previous

objections. The objections have been withdrawn.

2. Examiner's Note: The replacement drawings have overcome the previous

objections. The objections have been withdrawn.

3. Examiner's Note: The amendment of Claim 119 has overcome the 35 U.S.C. 112

rejection. The rejection has been withdrawn.

4. Examiner's Note: Applicant's amendments to Claims 104-127 have overcome the

previous art rejections.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-8, 12-16, 25, 34-41, 45-50, 60, 69-76, 80-85, and 95 remain rejected under 35 U.S.C. 102(e) as being anticipated by Zhao et al. (US 7,073,127).

Claims 1, 34, and 69: Zhao discloses a user interface, method, and computer program product for editing within a single timeline, comprising:

a. an overview layer comprising first editable representations of at least a subset of the media clips (column 3, lines 43-61);

b. for each media clip, a track comprising a second editable representation of the media clip, wherein the track and the overview layer are concurrently displayed (column 4, lines 11-45). In Figure 6, the overview layer (612) is displayed concurrently with the track layer;

c. a moveable cursor for editing the representations of the media clips and for controlling the timeline display (column 3, lines 1-10).

Claims 2, 35, and 70: Zhao discloses a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, further comprising:

a. the first editable representation is updated responsive to edits made to the second representation (column 3, lines 27-61/column 4, lines 31-50);

b. the second editable representation is updated responsive to edits made to the first representation (column 3, lines 27-61/column 4, lines 31-50).

Claims 3, 36, and 71: Zhao discloses a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, further comprising:

a. the overview layer comprises first editable representations of all media clips in the plurality of media clips(column 3, lines 27-42).

Claims 4, 37, and 72: Zhao discloses a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, further comprising:

a. at least one media clip overlaps another media clip, and wherein the overview layer comprises first editable representations of all media clips that do not overlap media clips (Column 3, lines 27-42/Figure 3).

Claims 5, 38, and 73: Zhao discloses a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, further comprising:

a. at least one media clip overlaps another media clip, and wherein the overview layer comprises an overlap region indicating the extent of the overlap (column 3, lines 27-42).

Claims 6, 39, and 74: Zhao discloses a user interface, method, and computer program

product for editing within a single timeline as in Claims 5, 38, and 73 above, further

comprising:

a. the tracks for the overlapping media clips comprise editable representations of

the overlapping media clips (column 4, lines 46-67).

Claims 7, 40, and 75: Zhao discloses a user interface, method, and computer program

product for editing within a single timeline as in Claims 1, 34, and 69 above, further

comprising:

a. the overview layer and each track are oriented along a first axis representing

time, and wherein each first editable representation of a media clip is aligned along a

second axis with a corresponding second editable representation of the same media

clip (column 3, 27-42/Figure 5).

Claims 8, 41, and 76: Zhao discloses a user interface, method, and computer program

product for editing within a single timeline as in Claims 7, 40, and 75 above, further

comprising:

a. the first axis is horizontal and the second axis is vertical (Figure 5).

Claims 12, 45, 46, 80, and 81: Zhao discloses a user interface, method, and computer

program product for editing within a single timeline as in Claims 1, 34, and 69 above,

further comprising:

a. the timeline display is selectively collapsible to hide the tracks and selectively

expandable to show the tracks (column 4, lines 9-30).

Claims 13, 47, and 82: Zhao discloses a user interface, method, and computer program

product for editing within a single timeline as in Claims 1, 34, and 69 above, further

comprising:

a. the timeline display comprises a plurality of overview layers, each overview

layer being associated with at least one track (column 3, lines 27-60).

Claims 14, 48, and 83: Zhao discloses a user interface, method, and computer program

product for editing within a single timeline as in Claims 1, 34, and 69 above, further

comprising:

a. the media clips comprise video clips (column 4, lines 31-36).

Claims 15, 49, and 84: Zhao discloses a user interface, method, and computer program

product for editing within a single timeline as in Claims 1, 34, and 69 above, further

comprising:

a. the media clips comprise audio clips (column 4, lines 31-36).

Claims 16, 50, and 85: Zhao discloses a user interface, method, and computer program

product for editing within a single timeline as in Claims 1, 34, and 69 above, further

comprising:

a. each media clip can be shortened, lengthened, moved, or deleted responsive to user actions with respect to either of the representations of the media clip (column 4, lines 60-66).

Claims 25, 60, and 95: Zhao discloses a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, further comprising:

a. a canvas comprising spatially movable representations of at least a subset of the media clips (column 3, lines 11-18).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 9, 42, and 77 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 7,073,127).

Claims 9, 42, and 77: Zhao discloses a user interface, method, and computer program product for editing within a single timeline as in Claims 7, 40, and 75 above, but does not explicitly disclose the first axis is vertical and the second axis is horizontal. However, no patentable weight is given to the orientation of the axis and it would have

been obvious to one having ordinary skill in the art at the time the invention was made

that the axis could be oriented in either fashion. One would have been motivated to

orient the first axis vertically and the second axis horizontally strictly for design choice.

9. Claims 10, 11, 43, 44, 78, and 79 remain rejected under 35 U.S.C. 103(a) as being

unpatentable over Zhao et al. (US 7,073,127) in view of Foreman et al. (US 7,124,366).

Claims 10, 43, and 78: Zhao discloses a user interface, method, and computer program

product for editing within a single timeline as in Claims 7, 40, and 75 above, further

disclosing the media clips are arranged along a timeline (column 3, lines 43-60), but

does not explicitly disclose that each editable representation of a media clip has a

dimension along the first axis representing the temporal length of the clip. Foreman

discloses a similar computer program product for editing within a single timeline, further

disclosing media segments have time based beginnings and endings (column 4, lines

55-62). Therefore it would have been obvious to one having ordinary skill in the art at

the time the invention was made that each editable representation of a media clip can

have a dimension along the first axis representing the temporal length of the clip. One

would have motivated to display the clips according to a temporal layout in order to

enable the user to identify the length of each clip in relation to time.

Claims 11, 44, and 79: Zhao and Foreman disclose a user interface, method, and

computer program product for editing within a single timeline as in Claims 10, 43, and

78 above, and <u>Foreman</u> further discloses media segments have time based beginnings and endings (column 4, lines 55-62). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to represent the start and end locations of each editable representation as the start and end time of the media clip. One would have been motivated to represent the start and end locations of each editable representation as the start and end time of the media clip in order to enable the user to identify the length of each clip in relation to time.

10. Claims 17, 21-24, 51, 56-59, 86, 91-94 remain rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Zhao et al.</u> (US 7,073,127) in view of <u>Fasciano et al.</u> (US 5,467,288).

Claims 17, 51, and 86: <u>Zhao</u> discloses a user interface, method, and computer program product for editing within a single timeline as in Claims 1, 34, and 69 above, further disclosing dragging and dropping media clips to destinations (column 3, lines 43-60), but does not explicitly disclose a drop down menu is displayed in response to the user dragging a media clip to the destination location within the timeline display, the drop menu comprising a plurality of commands. <u>Fasciano</u> discloses a similar method for editing within a single timeline further comprising a menu permitting the selection of multiple commands when a region is selected in the timeline (column 6, lines 39-49). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made that a drop down menu could be displayed in response to

dragging an object to the destination location within the timeline display in Zhao. One would have been motivated to display a drop down menu in response to the user dragging a media clip to a destination location within the timeline in order to give the user the option to perform different commands on the region.

Claims 21, 56, and 91: Zhao and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an overwrite command that causes the dragged media clip to replace an existing media clip at the destination location (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an overwrite command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an overwrite command in the drop menu to allow the user to access more customization options.

Claims 22, 57, and 92: Zhao and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an overwrite command that causes the dragged media clip to replace a portion of an existing media clip at the destination location, the portion having a length equal to the length of the dragged media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an

overwrite command that causes the dragged media clip to replace a portion of an existing media clip at the destination location, the portion having a length equal to the length of the dragged media clip in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an overwrite command in the drop menu to allow the user to access more customization options.

Claims 23, 58, and 93: Zhao and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an exchange command responsive to the dragged media clip having a length equaling the length of an existing media clip at the destination location, causes the dragged media clip to replace the existing media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

Zhao and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an exchange command responsive to the dragged media clip having a length exceeding the length of an existing media clip at the destination location, causes the dragged media clip to be replaced by a portion of

the dragged media clip having a length equal to the length of the existing media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

Zhao and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, and Fasciano further discloses the drop menu comprises an exchange command responsive to the dragged media clip having a length that is less than the length of an existing media clip at the destination location, causes the dragged media clip to replace a portion of the existing media clip, the portion having a length equal to the length of the dragged media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

Claims 24, 59, and 94: Zhao and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, but neither reference explicitly discloses the drop menu is context sensitive based on the destination location. However, Fasciano does disclose that the drop

menu is enabled when a region is selected in the timeline (column 6, lines 39-49), and it would have been obvious to one having ordinary skill in the art at the time the invention was made that this menu could be regarded as context-sensitive when an item is dragged to a destination location in Zhao. One would have motivated to include a context sensitive menu in order to enable a more efficient design environment.

11. Claims 104, 109-112, 117-120, and 125-127 rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 7,073,127) in view of Fasciano et al. (US 5,467,288) and further in view of Reder et al. (US 6,727,919)

Claims 104, 112, and 120: Zhao discloses a user interface, method, and computer program product for editing within a single timeline further comprising receiving a user command to drag the media clip to the destination location (column 3, lines 11-18), but does not explicitly disclose in displaying in response to receiving the user command, a drop menu comprising a plurality of commands for integrating the dragged media clip at the destination location. Fasciano discloses a similar method for editing within a single timeline further comprising a menu permitting the selection of multiple commands when a region is selected in the timeline (column 6, lines 39-49). Reder discloses a similar method for editing within a single timeline, that further discloses a pop-up menu appears in response to a drag and drop operation. Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made that a drop down menu could be displayed in response to dragging an object to the destination location

within the timeline display in Zhao. One would have been motivated to display a drop down menu in response to the user dragging a media clip to a destination location within the timeline in order to give the user the option to perform different commands on the region.

Claims 109, 117, and 125: Zhao, Fasciano, and Reder disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 104, 112, and 120 above, and Fasciano further discloses that responsive to selection of the overwrite command, deleting an existing media clip at the destination location, and replacing the deleted media clip with the dragged media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an overwrite command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an overwrite command in the drop menu to allow the user to access more customization options.

Claims 110, 118, and 126: Zhao, Fasciano, and Reder disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 104, 112, and 120 above, and Fasciano further discloses that responsive to user selection of the exchange command, deleting at least a portion of an existing media clip at the destination location, and replacing the deleted portion with at least a portion of the dragged media clip (column 12, lines 10-37). Therefore it would have been obvious to

one having ordinary skill in the art at the time the invention was made to include an

exchange command in the drop down menu when a media clip is dragged to a

destination location in Zhao. One would have been motivated to include an exchange

command in the drop menu to allow the user to access more customization options.

Claims 111, 119, and 127: Zhao, Fasciano, and Reder disclose a user interface,

method, and computer program product for editing within a single timeline as in Claims

104, 112, and 120 above, and Fasciano further discloses responsive to user selection of

the exchange command and responsive to an existing media clip at the destination

location having a length equal to the length of the dragged media clip, deleting the

existing media clip, and replacing the deleted media clip with the dragged media clip

(column 12, lines 10-37). Therefore it would have been obvious to one having ordinary

skill in the art at the time the invention was made to include an exchange command in

the drop down menu when a media clip is dragged to a destination location in Zhao.

One would have been motivated to include an exchange command in the drop menu to

allow the user to access more customization options.

Zhao, Fasciano, and Reder disclose a user interface, method, and computer

program product for editing within a single timeline as in Claims 104, 112, and 120

above, and Fasciano further discloses responsive to user selection of the exchange

command and responsive to the existing media clip having a length less than the length

of the dragged media clip, deleting the existing media clip, and replacing the deleted

media clip with a portion of the dragged media clip having a length equal to the length of

the deleted media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

Zhao, Fasciano, and Reder disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 104, 112, and 120 above, and Fasciano further discloses responsive to user selection of the exchange command and responsive to the existing media clip having a length greater than the length of the dragged media clip, deleting a portion of the existing media clip having a length equal to the length of the dragged media clip, and replacing the deleted portion with the dragged media clip (column 12, lines 10-37). Therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an exchange command in the drop down menu when a media clip is dragged to a destination location in Zhao. One would have been motivated to include an exchange command in the drop menu to allow the user to access more customization options.

12.   Claims 18-20, 52-55, and 87-90 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Zhao et al. (US 7,073,127) in view of Fasciano et al. (US 5,467,288) further in view of Foreman et al. (US 7,124,366).

Claims 18, 52, and 87: Zhao and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, but neither reference explicitly discloses the drop menu comprises a composite command that causes the dragged media clip to be composited with an existing media clip at the destination location. Foreman discloses a similar computer program product for editing within a single timeline that further discloses dragging and dropping clips before and after existing clips (column 13, lines 27-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to composite dragged media clips at the destination location in Zhao. One would have been motivated to include a composite command in the drop menu to allow the user to access more customization options.

Claims 19, 53, and 88: Zhao and Fasciano disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 51, and 86 above, but neither reference explicitly discloses the drop menu comprises an insert command that causes the dragged media clip to be inserted at the destination location, and that causes an existing media clip at the destination location to be moved to make room for the dragged media clip. Foreman discloses a similar computer program product for editing within a single timeline that further discloses moving clips when a new clip is dropped before a clip or a hole(column 13, lines 27-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to move existing media clips when a dragged media clip is placed at the

destination location in <u>Zhao</u>. One would have been motivated to include an insert command in the drop menu to allow the user to access more customization options.

Claims 20, 54, 55, 89, and 90: <u>Zhao</u> and <u>Fasciano</u> disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 17, 53, and 88 above, but neither reference explicitly discloses the drop menu comprises an insert command that causes the dragged media clip to be inserted at the destination location, and that causes an existing media clip at the destination location to be split to make room for the dragged media clip. <u>Foreman</u> discloses a similar computer program product for editing within a single timeline that further discloses splitting and moving clips when a new clip is dropped between a clip or a hole(column 13, lines 27-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to split and move existing media clips when a dragged media clip is placed at the destination location in <u>Zhao</u>. One would have been motivated to include an insert command in the drop menu to allow the user to access more customization options.

13. Claims 105-108, 113-116, and 121-124 are rejected under 35 U.S.C. 103(a) as being unpatentable over <u>Zhao et al.</u> (US 7,073,127) in view of <u>Fasciano et al.</u> (US 5,467,288) further in view of <u>Reder et al.</u> (US 6,727,919) and further in view of <u>Foreman et al.</u> (US 7,124,366)

Claims 105, 113, and 121: Zhao, Fasciano, and Reder disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 104, 112, and 120 above, but neither reference explicitly discloses the drop menu comprises a composite command that causes the dragged media clip to be composited with an existing media clip at the destination location. Foreman discloses a similar computer program product for editing within a single timeline that further discloses dragging and dropping clips before and after existing clips (column 13, lines 27-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to composite dragged media clips at the destination location in Zhao. One would have been motivated to include a composite command in the drop menu to allow the user to access more customization options.

Claims 106, 114, and 122: Zhao, Fasciano, and Reder disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 104, 112, and 120 above, but neither reference explicitly discloses the drop menu comprises an insert command further comprising responsive to user selection of the insert command, inserting the dragged media clip at the destination location to be moved to make room for the dragged media clip. Foreman discloses a similar computer program product for editing within a single timeline that further discloses moving clips when a new clip is dropped before a clip or a hole (column 13, lines 27-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an insert command in Zhao. One would have been

motivated to include an insert command in the drop menu to allow the user to access more customization options.

Claims 107, 115, and 123: <u>Zhao</u>, <u>Fasciano</u>, <u>Reder</u>, and <u>Foreman</u> disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 106, 114, and 122 above, and <u>Foreman</u> further discloses moving clips when a new clip is dropped before a clip or a hole (column 13, lines 27-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to move existing media clips when a dragged media clip is placed at the destination location in <u>Zhao</u>. One would have been motivated to include an insert command in the drop menu to allow the user to access more customization options.

Claims 108, 116, and 124: <u>Zhao</u>, <u>Fasciano</u>, <u>Reder</u>, and <u>Foreman</u> disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 106, 114, and 122 above, and <u>Foreman</u> further discloses splitting media clips to make room for the dragged media clip (column 13, lines 27-54). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to split existing media clips when a dragged media clip is placed at the destination location in <u>Zhao</u>. One would have been motivated to include an insert command in the drop menu to allow the user to access more customization options.

14. Claims 26-33, 61-68, and 96-103 remain rejected under 35 U.S.C. 103(a) as being

unpatentable over <u>Zhao et al.</u> (US 7,073,127) in view of <u>Foreman et al.</u> (US

2001/0040592)

Claims 26, 61, and 96: <u>Zhao</u> discloses a user interface, method, and computer program

product for editing within a single timeline as in Claims 25, 60, and 95 above, but does

not explicitly disclose the spatially moveable representations are updated responsive to

edits made to the corresponding first or second editable representations in the timeline

display. <u>Foreman</u> discloses a similar computer program product for editing within a

single timeline that further discloses operations performed on the clips in the timeline

are reflected automatically in the shot descriptions of the storyboard (spatially moveable

representations) and vice versa (page 5, paragraphs 47 and 49). Therefore, it would

have been obvious to one having ordinary skill in the art at the time the invention was

made that the spatially movable representations are updated responsive to edits made

to the corresponding first or second editable representations in the timeline display in

<u>Zhao</u>. One would have been motivated to update the spatially moveable

representations in order to keep track of the changes made in the project.

Claims 27, 62, and 97: <u>Zhao</u> discloses a user interface, method, and computer program

product for editing within a single timeline as in Claims 25, 60, and 95 above, but does

not explicitly disclose the first and second editable representations in the timeline

display are updated responsive to edits made to the corresponding spatially moveable

representations. <u>Foreman</u> discloses a similar computer program product for editing within a single timeline that further discloses operations performed on the clips in the timeline are reflected automatically in the shot descriptions of the storyboard (spatially moveable representations) and vice versa (page 5, paragraphs 47 and 49). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the first and second editable representations in the timeline display are updated responsive to edits made to the corresponding spatially movable representations in <u>Zhao</u>. One would have been motivated to update the first and second editable representations in order to keep track of the changes made in the project.

Claims 28, 63, and 98: <u>Zhao</u> discloses a user interface, method, and computer program product for editing within a single timeline as in Claims 25, 60, and 95 above, but does not explicitly disclose the first and second editable representations in the timeline display are selected responsive user selection of the corresponding spatially moveable representations. <u>Foreman</u> discloses a similar computer program product for editing within a single timeline that further discloses operations performed on the clips in the timeline are reflected automatically in the shot descriptions of the storyboard (spatially moveable representations) and vice versa (page 5, paragraphs 47 and 49). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the first and second editable representations in the timeline display are selected responsive to selecting the corresponding spatially movable

representations in <u>Zhao</u>. One would have been motivated to select the first and second editable representations responsive to selecting the corresponding spatially moveable representations in order to keep track of the changes made in the project.

Claims 29, 64, and 99: <u>Zhao</u> discloses a user interface, method, and computer program product for editing within a single timeline as in Claims 25, 60, and 95 above, but does not explicitly disclose the spatially moveable representations are selected responsive to user selection of the corresponding first or second editable representations in the timeline display. <u>Foreman</u> discloses a similar computer program product for editing within a single timeline that further discloses operations performed on the clips in the timeline are reflected automatically in the shot descriptions of the storyboard (spatially moveable representations) and vice versa (page 5, paragraphs 47 and 49). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the spatially moveable representations are selected responsive to user selection of the corresponding first or second editable representations in the timeline display in <u>Zhao</u>. One would have been motivated to select the spatially movable representations in response to selecting the corresponding first or second editable representations in order to keep track of the changes made in the project.

Claims 30, 65, and 100: <u>Zhao</u> discloses a user interface, method, and computer program product for editing within a single timeline further comprising a canvas comprising a plurality of selectable and spatially moveable representations of media

clips, but does not explicitly disclose a timeline display, comprising, for each currently selected representation of a media clip in the canvas, a timeline representation of the media clip. Foreman discloses a similar computer program product for editing within a single timeline that further discloses a viewer window that has an associated timeline allowing a user to preview imported clips (page 6, paragraph 56/page 7, paragraph 67). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to include a timeline display for each currently selected representation of a media clip in Zhao. One would have been motivated to include a timeline display for each selected representation of a media clip in order to obtain an indication of the temporal characteristics of a media clip.

Zhao also does not explicitly disclose the timeline display is activated in response to at least one spatially moveable representation being selected, and wherein the timeline display is deactivated in response to no spatially moveable representation being selected. However, Foreman discloses the media clips are previewed responsive to a user selecting a video clip from the library (page 6, paragraph 56/page 7, paragraph 67). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the timeline display is activated in response to selecting a media clip, and deactivated in response to no media clip being selected. One would have been motivated to activate and deactivate the timeline in response the selection or de-selection of media clips in order to enable the user to access the timeline only when necessary.

Claims 31, 66, and 101: <u>Zhao</u> and <u>Foreman</u> disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 30, 65, and 100 above, and <u>Zhao</u> further discloses:

    a. each timeline representation of a media clip is editable (column 4, lines 9-14).

Claims 32, 67, and 102: <u>Zhao</u> and <u>Foreman</u> disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 30, 65, and 100 above, and <u>Foreman</u> further discloses operations performed on the clips in the timeline are reflected automatically in the shot descriptions of the storyboard (spatially moveable representations) and vice versa (page 5, paragraph 47). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made that the spatially movable representations are updated responsive to edits made to the corresponding timeline representations in <u>Zhao</u>. One would have been motivated to update the spatially moveable representations in order to keep track of the changes made in the project.

Claims 33, 68, and 103: <u>Zhao</u> and <u>Foreman</u> disclose a user interface, method, and computer program product for editing within a single timeline as in Claims 30, 65, and 100 above, and <u>Foreman</u> further discloses operations performed on the clips in the timeline are reflected automatically in the shot descriptions of the storyboard (spatially moveable representations) and vice versa (page 5, paragraph 47). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was

made that the timeline representations are updated responsive to edits made to the

corresponding spatially movable representations in Zhao. One would have been

motivated to update the timeline representations in order to keep track of the changes

made in the project.

Response to Arguments

14. Applicant's arguments filed July 17, 2007 have been fully considered but they are

not persuasive.

Claims 1, 34, and 69: Applicant argues, "Zhao does not teach or suggest a user

interface that enables the user to view both panes concurrently". It is respectfully

submitted that Zhao discloses this limitation. In Figure 6, the overview layer (media

pane, 612) is displayed concurrently with the track layer.

Claims 30, 65, and 100: Applicant argues, "Foreman does not disclose, teach, or

suggest a timeline display representing a duration of the project, the timeline display

comprising, for each currently selected representation of a media clip, a timeline

representation of the media clip." It is respectfully submitted that Foreman discloses

this limitation. Foreman discloses a timeline region, 160, which includes a

representation of a timeline, 162. The representation, 162, represents the duration of

the project in this case.

Conclusion

15. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
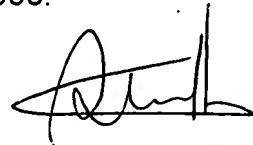
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Omar Abdul-Ali whose telephone number is 571-270-1694. The examiner can normally be reached on Mon-Fri(Alternate Fridays Off) 8:30 - 6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen Hong can be reached on 571-272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

OAA
9/16/2007

STEPHEN HONG
SUPERVISORY PATENT EXAMINER